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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/183,605 10/30/98 SHUSTER

B SHUS803

EXAMINER

TM02/0703

O MELVENY & MYERS LLP
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LOS ANGELES CA 90071-2899

ART UNIT	PAPER NUMBER
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2155
DATE MAILED:

07/03/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/183,605

Applicant(s)

SHUSTER, BRIAN

Examiner

Firmin Backer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,4,7,9-11 and 14-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,4,7,9-11 and 14-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

Response to Amendment

This is in response to an amendment file on, 2001 for letter for patent filed on in which claims were presented for examination. In the amendment, claims have been amended. Claims remain pending in the letter.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2, 4, 7, 9-11, 14-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mott et al (U.S. Patent No. 6,170,060) in view of Kessenich et al (U.S. Patent No. 6,034,680).
3. As per claim 2, Mott et al teach a method of user's access to information in a computer network having a recipient (client systems, 214) and a provider (server, 260) (see fig. 2, 7 col. 16 lines 29-57) comprising receiving a request access to first information content from a recipient computer (client systems, 214) over the network (network, 240), transferring the first information content to the recipient computer (see fig. 2, col. 7 line 66-8 line 56), transferring additional software, comprises at least one program routine (code) for interacting with software comprise at least one function operable at the selection of a user for requesting a second

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information, that operated with the recipient computer and for accessing the first information content to the recipient (see fig. 2, col. 7 line 66-8 line 67, 9 line 7-56), executing the program routine of the additional software in the recipient computer to register activation of the additional function in the further software on the recipient computer (see fig. 2 col. 10 line 62-11 line 25). Mott et al fail to teach operating the recipient computer under partial control of the additional software to provide access to third information content in response to activation of on function in the software. However Kessenich et al teach operating the recipient computer under partial control of the additional software to provide access to third information content in response to activation of on function in the software further comprises transferring one HTML file associated with the third internet site is different than the second site (see column 3 lines 26-63). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mott et al's inventive concept to include Kessenich et al teach operating the recipient computer under partial control of the additional software to provide access to third information content in response to activation of on function in the software further comprises transferring one HTML file associated with the third internet site is different than the second site because this would have enhance the flexibility of the system.

4. As per claim 3, Mott et al teach a method wherein requesting first information content comprises transmitting a request to access a first internet site over the internet and transferring first information content comprises transferring one HTML file associated with the first internet site (see fig. 1, col. 5 lines 40-59).

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5. As per claim 4, Mott et al teach a method wherein transferring additional software comprises transferring browser script which includes one program routine for interacting with a browser program on the recipient computer (see col. 10 line 62-11 line 25)

6. As per claim 6, Mott et al teach a method wherein operating the recipient computer under partial control of the additional software to provide access to third information content comprises transferring one HTML file associated with a third internet site to the recipient computer wherein the third internet site is different than a second internet site whereon the second information content resides (see fig. 1, col. 5 lines 40-59).

7. As per claim 7, Mott et al teach a method wherein executing program routine comprises for registering activation of a browser function selected from the group consisting of back, forward, home, favorite sites and bookmark sites (see fig. 1, col. 5 lines 40-59).

8. As per claim 9, Mott et al teach a method wherein the operating the recipient computer further comprises preventing the second information content from being displayed on the recipient computer (see col. 10 line 62-11 line 25).

9. As per claim 10, it contains the same inventive concept as claim 6. Therefore, it is rejected under the same rationale.

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10. As per claim 11-16, they contain the same inventive concept as claim 2-4, 6-9.

Therefore, it is rejected under the same rationale.

11. As per claim 17, 18 they contain the same inventive concept as claim 2 and 7. Therefore, it is rejected under the same rationale.

12. As per claim 19-22 they contain the same inventive concept as claim 2-4, 6-9.. Therefore, it is rejected under the same rationale.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is 703-305-0624. The examiner can normally be reached on Mon-Thu 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sheikh Ayaz can be reached on 703-305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3718 for regular communications and 703-305-5352 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


Firmin Backer
June 27, 2001


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100